Ethics of Nation-Building and Its Implications to Building Health Capacity

The Assistant Secretary of Defense Conference on:
Culture, Health and Human Security in the Middle East.
December 3, 2008, Washington, DC.

Adil E. Shamoo, Ph.D.

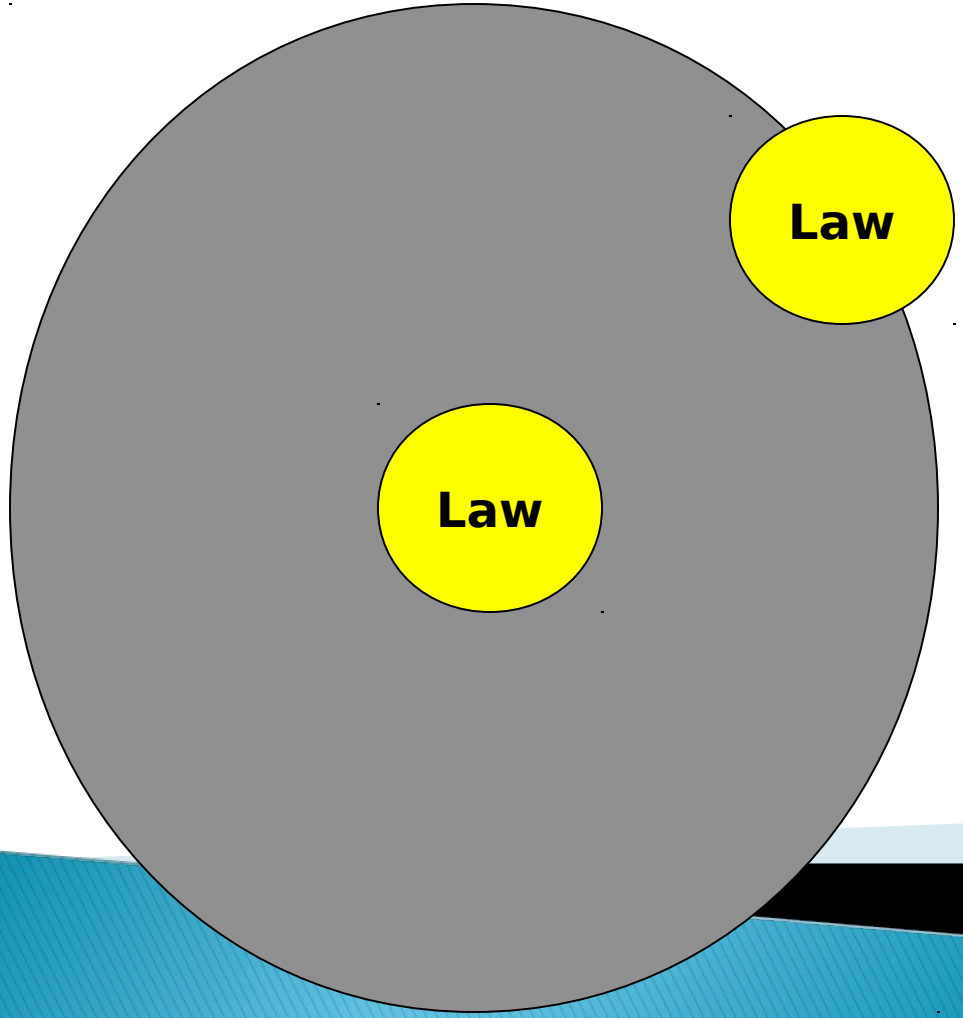
Defense Health Board
and
University of Maryland School of Medicine
108 N. Greene Street
Baltimore, Maryland 21201
Tel: 410-706-3327
E-mail: ashamoo@umaryland.edu

P.S. I do not speak for any organization. The affiliation is for identification only.

The talk will consist of:

1. **Introduction – ethics**
   a. **Ethical Decision-Making Process**
   b. **Ethics of Nation-Building**
2. **Nation-Building in Iraq**
3. **Post-Conflict/Occupation**
4. **How to ethically deal with insurgency**
5. **Ethics of Building Health Care Capacity**
6. **Conclusion**

Ethics and Law



Ethical principles/values/norms

1. Aristotelian virtue ethics.

2. The Kantian approach of autonomy.

3. Utilitarian approach.

Ethical Decision-Making Process

1. State the ethical dilemma and collect relevant information as much as possible.

2. Identify the stakeholders.

3. Ascertain whether the issue is already resolved by law or institutional policy.

4. Define and prioritize the ethical values and principles involved.

5. Evaluate the Risks/Benefits according to whatever values or principles involved.

6. Make an ethical decision.

Ethics of Nation-Building

- How did we arrive to the point of nation-building?
  - Was it ethical?
  - Was it legal?
  - How did we carry out the mission?
- How we are sustaining the mission?
- Are we succeeding in terms of host-nation or hostile-nation?
- Where do we go from here?

Richard P. Gildrie: (In: Kaufmann, Greg, 2008, P. 18).

- ***"the rule of law is an ethical and cultural concept as well as a judicial or political one"***

Nation-Building in Iraq

Michael Walzer, the author of the classic book on "Just and Unjust Wars"(P. 8) in 1977(2ed.) said:

"Military defeat and government collapse may so shock a social system as to open the way for a radical renovation of its political arrangements."

Walzer sets three conditions where the intervention policy may be appropriate:

- Secession or “national liberation.”
- Counter-intervention.
- Humanitarian intervention.

Walzer permitted interventions in dire circumstances:

"that shock the moral conscience of mankind."" **(Walzer, 1977, P. 107)**

And

"to prevent massive violations of human rights and are reasonably expected to successfully prevent them" **(Rocheleau ,In Kaufmann, 2008, P. 25, Stability Operations and State-Building: Continuities and Contingencies, Strategic Studies Institute, U.S. Army War College).**

Post-Conflict/Occupation

The Army Field Manual states that:

*"**Legitimacy** is central to building trust and confidence among the people."*

(Caldwell, 2008, P. 1-28) (Emphasis added)

In Counterinsurgency, FM 3-24, 2006 (Petraeus, David H., and Amos, James F., 2006), it states:

*"Counterinsurgents seeking to preserve **legitimacy** must stick to the **truth** and make sure that words are backed up by deeds;"* (P. 1-3). (My emphasis).

In Counterinsurgency, FM 3-24, 2006 (Petraeus, David H., and Amos, James F., 2006), it continues:

*"**Any human rights abuses or legal violations** committed by U.S. forces quickly become known throughout the local populace and eventually around the world. Illegitimate actions undermine both long- and short-term COIN efforts."* (P. 1-24).

FM 3–07

- *"1-33.* ***Consent*** *is essential to the legitimacy of the mission.* ***Generally, no mission is perceived as legitimate without the full consent of the host nation or an internationally recognized mandate.*** *…An exception is an intervention to depose a regime that significantly threatens national or international security or willfully creates conditions that foment humanitarian crises. However, such missions are only perceived as legitimate with the broad approval of the international community****; unilateral missions to impose regime change are rarely perceived as legitimate however well intentioned****."* (Emphasis added).

How to ethically deal with insurgencies

Shamoo: In September 14, 2005 , in an article entitled: Looking for Peace in Iraq:

"In every successful insurgency movement, you have to have a core group surrounded by multiple circles of support—much as an onion has layers upon layers over its center. At the core of the insurgency are the fighters. They are surrounded by layers of support that enable their function: people who provide or store weapons; others who provide financing and other needed supplies; and even those who allow the insurgents to hide. Outer layers of this support are still powerful. Some people provide information to the insurgency and many others provide the psychological support to the insurgents. And there are others who provide support through their acquiescence, silence, and indifference."

Petraeus, David H., and Amos, James F., 2006. Counterinsurgency, FM 3-24, MCWP 3-33.5, December 2006, Department of the Army.

Chapter 7 of Counterinsurgency, FM 3-24 (2006) is entitled:
Leadership and Ethics for Counterinsurgency, it says:

- *"7-1. Army and Marine Corps leaders are expected to **act ethically** and in accordance with shared national values and Constitutional principles, which are reflected in the law and military oaths of service. ...*
- *"No person in the custody or under the control of DOD, regardless of nationality or physical location, shall be subject to torture or cruel, inhuman, or degrading treatment or punishment, in accordance with, and as defined in, U.S. law."* (P. 7-7).

FM: 3–24, "LIMITS ON INTERROGATION

- *7-42.* ***Abuse of detained persons is immoral, illegal, and unprofessional.*** *…**Torture and cruel, inhuman, and degrading treatment is never a morally permissible option**, even if lives depend on gaining information. No exceptional circumstances permit the use of torture and other cruel, inhuman, or degrading treatment."* (P. 7-8).(Emphasis added)

Ethics of Building Health Care Capacity

Moral philosophies (ethical principles) to global health distribution:

- **Equality.**
- **Rights.**
- **Utilitarianism.**
- **Humanitarianism.**

Acharya (2004) :

- *“Given the available resources**, I deny that there is a moral imperative to pursue equality of health status or access to care** Under current resource constraints, a just international public health policy is not best served through demanding equality in health status or horizontal equity in access to health care across the world, and particularly within developing countries.”* (P. 66). **(Emphasis added**).

Moral philosophies (ethical principles) to global health distribution:

- **Equality.**
- **Rights.**
- **Utilitarianism.**
- **Humanitarianism.**

- Article 1, Universal Declaration of Human Rights says:

- *“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”*

Moral philosophies (ethical principles) to global health distribution:

- **Equality.**
- **Rights.**
- **Utilitarianism.**
- **Humanitarianism.**

Moral philosophies (ethical principles) to global health distribution:

- **Equality.**
- **Rights.**
- **Utilitarianism.**
- **Humanitarianism.**

New modern moral principles suggested:

1. **Prioritarian Norm** (least well-off be served first with a threshold norm) (Acharya, 2004).

2. **Moral Clarity approach** (Alkire and Chen, 2004).

3. **Obligation ethics - All should act** (O'Neil, 2002).

Shamoo:

- **Evaluate the Risks/Benefits of the proposed health care program according to host-nation (or global) public health good (utilitarian).**

Jones, G. et al, (2006) of the RAND corporation states:

- *"Nation-building efforts cannot be successful unless adequate attention is paid to the population's health. In addition, efforts to improve health can be a powerful tool for capturing the goodwill of the residents."*

Toughest Moral Questions

- **When should health care efforts begin, and what influence will those efforts have on the overall success of nation-building?**
- **Are there moral & ethical guidelines of how the occupiers should interact with the existing health care structure?**
- **How can we enlist and secure the safety of the existing health professionals to prevent their exit from the country?**
- **If it was determined that nation building was immoral, would that change the imperative for health care?**
- **Do Iraq's future potential earnings have an impact on what the US' obligation for nation building should be?**
- **Are there examples under ethical decision making process (step #5) that would eliminate the need to provide health care?**

Conclusion

Sanitation, nutrition, communicable diseases, vaccination, and building public health infrastructure.

Thank You

Your Questions?